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MEMO ENDORSED

VIA ECF

The Honorable Magistrate Judge Barbara C. Moses
United States District Court, Southern District of New York
500 Pearl Street, Room 740
New York, New York 10007

Re: Leitch et al. v. Amazon Services.Com LLC, Case No.: 22-cv-06121-LGS/BCM

Dear Judge Moses:

The parties write jointly to request a further extension of time for parties to file their discovery status letter from today until October 10, 2023.

In support of this request, the parties maintain their agreement to facilitate a discussion between Plaintiffs' computer expert and someone at Amazon knowledgeable about the relevant data to narrow the scope of the parties' discovery dispute. As we previously informed Your Honor, the scope of continued discovery and Plaintiffs' pending motion to compel rest in large part on this discussion. These individuals were scheduled to meet yesterday, September 14, 2023. However, due to an unforeseen medical emergency, Amazon's designated representative needed to cancel last minute. Although this individual expects to return to work next week, Plaintiffs' expert will not be available due to pre-arranged international travel through October 3, 2023.

The parties remain in communication with one another, and their next meet and confer is scheduled for next week. The parties have also made progress on depositions. The only remaining plaintiff deposition is Mr. Zurek's, which started on August 21, 2023 and will be completed within the next two weeks. The parties are also continuing to coordinate Defendant depositions of those third party witnesses whose testimony is not affected by the parties' discovery dispute. Since the scope of depositions of the main witnesses depends on the resolution of the parties' discovery dispute, a number of depositions can only be held after Your Honor makes a ruling. In this regard, the parties will be seeking an extension of the discovery period.

Accordingly, the parties respectfully request until October 10, 2023 to submit their letter updating the Court on the outstanding discovery issues. This is the parties' sixth request of this type and there is no prejudice to any party.

Application GRANTED. SO ORDERED.



Barbara Moses

United States Magistrate Judge
September 18, 2023

Respectfully submitted,

/s/ Sean P. Lynch

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